SUBJECT NO. 45.

Batta to witnesses in criminal courts.

Mr. M. Krishnamurti Rao, Magadi taluk.

Summary of discussion.—Witnesses in criminal courts are not paid batta. As the attendance in courts involves an interruption of their regular business and additional expenditure, they may be given batta at the rates allowed to witnesses in civil courts.

Messrs. C. Krishnamurti and C. Srinivasa Rao spoke to the contrary and said that this would encourage cases being unnecessarily prolonged.

Reply of Government.—No change in the existing rules is required.

SUBJECT NO. 46.

The issue of processes to witnesses beyond the jurisdiction of the courts to which they are summoned.

Mr. S. Sitaramaiya, Shimoga Municipality.

Summary of discussion.—Under the Rule of Practice recently issued by the Chief Court, summons to witnesses residing beyond the jurisdiction of the court are sent to the nazir of the court without any remittance of the travelling allowance, and the nazir of the court within the local jurisdiction of which the witnesses reside has to pay the allowance out of the advance with him and recoup it afterwards. If the nazir of the latter court has spent the advance allowed to him before the receipt of the summons from the court, the process has to be returned unexecuted. This necessitates unnecessary adjournments of cases, besides causing much inconvenience to the parties concerned. The present rule may therefore be altered.

Reply of Government.—Will be referred to the Chief Court.

SUBJECT NO. 47.

Filing judicial records.

Mr. S. Sitaramaiya, Shimoga Municipality.

Summary of discussion.—The present method of filing judicial records in a chronological order with reference only to the dates of disposal of the cases is very inconvenient as it does not enable the parties who have to apply for copies of judgments, depositions of witnesses, etc., in any case to find out the documents required by them easily. It is therefore prayed that the old method of filing the records with reference to the serial order of the number of suits and applications may be revived.

Mr. M. C. Rangiengar explained that formerly when copies had to be applied for the number of the suit was given and no further information was considered necessary, but that according to the revised rules it was necessary to give the date of the disposal of the case.

The Chief Judge pointed out that if the number and the year of the suit were given, the date of the disposal would be ascertained by the officials of the court, and added that necessary instructions would be issued in the matter.

Reply of Government.—Noted.